

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

GARRET SITTS, et al., Plaintiffs, v. DAIRY FARMERS OF AMERICA, INC. and DAIRY MARKETING SERVICES, LLC, Defendants.	Civil Action No. 2:16-cv-00287-cr
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DEFENDANTS DAIRY FARMERS OF AMERICA, INC. AND
DAIRY MARKETING SERVICES, LLC’S
NOTICE OF DEPOSITION DESIGNATIONS FOR TRIAL

Defendants Dairy Farmers of America, Inc. (“DFA”) and Dairy Marketing Services, LLC (“DMS”) (collectively “DFA”) hereby submit the following deposition designations to be introduced into evidence at trial, submitted together with objections and counter-designations, for the Court’s consideration and ruling:

1. Patricia Bikowsky (attached as Exhibit 1)
2. Michael Suever (attached as Exhibit 2)
3. Evan Kinser (attached as Exhibit 3)
4. James Cella (attached as Exhibit 4)
5. Demetrios Haseotes (attached as Exhibit 5)

DFA reserves the right to introduce additional testimony not designated here for the purposes of impeachment and/or rebuttal. DFA also reserves the right to further amend its deposition designations, including as a result of the Court's ruling on any pending motion in this case.

Relatedly, DFA has moved in *limine* to exclude several categories of evidence and argument. To the extent that any deposition testimony designated by DFA herein relates to any evidence or argument that is the subject of one of DFA's motions in *limine*, DFA's designation of that evidence is not an admission of its relevance or admissibility.

Finally, in response to the deposition designations submitted by plaintiffs, DFA has counter-designated testimony of those witnesses for completeness and fairness pursuant to Federal Rule of Civil Procedure 32(a)(6) and Local Rule 26(d), as set forth in ECF Nos. 230, 250, and 263. Barring agreement between the parties, and to the extent that the Court determines that any of DFA's proposed counter-designations in ECF Nos. 230, 250, and 263 do not qualify as counter-designations pursuant to Federal Rule of Civil Procedure 32(a)(6) and Local Rule 26(d), DFA reserves the right to introduce these designations affirmatively in DFA's case-in-chief.

DFA remains willing to meet and confer with plaintiffs regarding each party's proposed designations in an attempt to narrow the disputed issues before the Court.

Dated: June 30, 2020

Respectfully submitted,

/s/ Alfred C. Pfeiffer Jr.

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*Counsel for Defendants Dairy Farmers of America,
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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2020, I electronically filed with the Clerk of Court the foregoing document using the CM/ECF system. The CM/ECF system will provide service of such filing via Notice of Electronic Filing (NEF) to the following NEF parties:

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Dated: June 30, 2020

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